

LAX JAPANESE HONOR

BASIS OF THE COMPLAINTS AGAINST
NATIVE MERCHANTS.Commercial Standard of the Latter
Not the Highest, but They Have
Some Excuse.

FORMER STATUS OF TRADERS

CONTRACTS REPUTED TO AVERT
BUSINESS PANIC.Foreign Houses Have Really Lost but
Little at Any Time—Courts Slow
but Just.

Correspondence of the Indianapolis Journal.

TOKYO, Oct. 8.—One may hear all over the East depreciation of the commercial honor of the Japanese. Nor does injury in the immediate field tend to help native reputation in this respect. An estimate so general must, of course, have substance behind it, although, in fact, native agencies are the most active and numerically the strongest, tell a story which materially modifies any sweeping denunciation. It is a common saying that a Japanese cares as little for his bond as for his word, but it may be observed that whatever measure of justice upholds this view, it receives utterance by foreigners who have been in Japan for some years and have fared well enough to put out lines for long account, as they continue to do.

Removal of a foreign house to China, where the nod of the merchant is declared to bind like a hard and fast contract, is never reported on the ground of bad treatment here. The usual business changes occur, and some of them have involved the surrender of offices in Japan and a transfer of manager or staff to a Chinese port, but it was not because of inability to combat loose business conditions. Like influences might lead anywhere to similar changes. The inference thus seems permissible that foreigners may contribute generally, as they have already done, to protect themselves, just as natives put up guards against each other; just as prudence and circumspection shield business dealings in other lands, and that in spite of a tone in commercial ethics below par, business is not only possible here, but it is conducted with average safety on a growing scale with all parts of the world.

If laxity among the Japanese may not be justified, there is at least some explanation of it. The mercantile class always had inferior rank. Incentive for its improvement in the early part of the Tokugawa shogunate, 300 years ago, was not long enough held out to have appreciable effect; for, when the disposition then to encourage foreign trade was reversed, the shogun being convinced that the foreigners wished to proselyte, rather than to trade, and that wholesale conversation was designed as a step toward destroying the political entity of the empire, the trading element dropped back to the despised level that it had formerly occupied, and from which it had not recovered at the beginning of the present regime. A recognized division of the people at the time that settlements were first set aside wherein foreign merchants might freely do business was into four classes. The military and official gentry had first place, next came the farmers, next the artisans and laboring people, and last the traders. A tribe of outcasts known as *etwas*, and a disgusting element called *hinin*, who lived by begging, and upon whom devolved the execution of criminals and the disposal of their bodies, were alone degraded further than the merchant, and they were considered below the level of humanity. A merchant would never dare oppose one of the military or official class, and he ran grave risks even in remonstrance, for he could get no redress in official quarters, and if he did other than submit to what might befall him he risked himself, not only to the torture of money, or other tyranny, but also the loss of his head under the ever-ready sword of his offended lordling.

ESTIMATE OF NATIVE CHARACTER.
Following the drift of human weakness, whereby men commonly become what the world holds them to be, the spirit of trading became actuated only by paltry aims, and morality passed out of the reckoning. There had always been much endowed for enterprise, but they had been mainly utilized to finance public undertakings, and they seemed unwilling, even when opportunity prompted, to risk the chances of foreign connections. Since sharp practice by certain foreigners accounted in part for the unwillingness of reputable native houses to enter into the new relations the field remained for tradesmen of the common class, typified by Professor Chamberlain in "Things Japanese" in these words: "Familiarly vague as his ideas of such matters as punctuality, regard for truth, the keeping of a promise. He is a bad loser, even of the smallest sums, and will not consider it derogatory to get out of a contract should the market go against him, while his deep-seated distrust even of his own compatriots results in plots and counter plots, real or suspected, between the promoters of almost every important enterprise. So far from practicing honesty for its own sake, he has not yet learned that honesty is, even from a selfish point of view, the best policy. His timidity is another weak point, leading him to seek the aid of government in nearly every large undertaking, aid which has not always been judiciously applied, and his professed eagerness for the introduction of foreign capital seems to be perverted in practice into opposition and obstruction."

These words are intended to have present applicability, as well as to fit earlier years. They are reinforced by an example in which a Mr. Kimura refused to take delivery of one hundred bales of yarn for which he had contracted with a foreign firm in Yokohama. Finding appeal fruitless to the yarn makers' guild, the foreign firm sued and obtained judgment in accordance with the contract, the court ordering Mr. Kimura to pay in addition to the stipulated price insurance, interest and godown rent minus ninety days usually allowed pending delivery. At a meeting of the Yokohama guild shortly thereafter the action of Mr. Kimura was fully indorsed and the foreign firm was condemned to a boycott, in which dealers in Tokio, Nagoya and other important towns were to be asked to join. Representatives of the Tokio guild next visited the foreign firm to say that they were determined to settle the dispute and that unless their arbitration was accepted they would join the boycott.

Advised by a Japanese lawyer that the law could afford them no protection against boycott or redress any wrong they might thereby suffer, the foreigners were compelled to accept the offer of arbitration, and were thereupon informed that Mr. Kimura would take delivery within sixty days, the foreign firm to pay its own legal expenses. Delivery was accepted at a price which left the foreign firm a loser by about 2,500 yen (\$250), half of that sum consisting of insurance, interest and warehouse charges. Professor Chamberlain emphasizes the case because Mr. Kimura had been manager of the Yokohama Specie Bank and was at the time a director, besides being on the Municipal Board, president of the Yokohama guild and one of the wealthiest men in the city. "Where great houses fall victims," the writer concludes, "it is easy to conceive that the smaller fry have but faint chance of redress. And there is no sign of a change. Breach of contract is as life in this year of grace, 1901, as at any previous period. As we pen these lines the godowns at Yokohama are crammed with goods of which the Japanese who ordered them refuse to take delivery."

JAPANESE POINT OF VIEW.
However indefensible the attitude of Mr. Kimura, his refusal being based on the color of a tag, which was red when he said it should have been purple, the practical effect of the refusal was that the foreign firm lost \$250, its only reported loss in a year when Japan was threatened with commercial panic. There had been a long speculative period, a boom in all kinds of enterprise, and reaction had come. Things that occur elsewhere at such a time occurred throughout industrial Japan, except that instead of accepting delivery of goods and then falling in business, merchants who found their resources cramped sought escape from their contracts on technicalities, trivial objections, or by blunt refusal to accept delivery. The Yokohama godowns did become glutted, but foreigners had not parted with their property, and thus were not driven to the courts in a long chase to recover it. They knew the commercial conditions depressed business as well as did the native merchants, and could have no doubt that with the passing of the stringency the market would demand the goods, whether delivery were taken by those who had ordered them or by others. So at the worst there could be no such loss as might have been involved had delivery been taken and panic fallen upon an overstocked native supply. The foreign firm which had trouble with Mr. Kimura had long been in business at Yokohama. In its operations for many years this was the first public announcement that it had been forced to write against its profit and loss account as large a sum as \$250, and in all that time the portion of its profits withdrawn for personal account had been sufficient to support very comfortable, if not expensive, living.

At a meeting of native merchants held when panic threatened, to discuss means of averting the danger, a leading merchant, speaking of accumulations of goods and of refusals to take delivery, is reported to have said: "What if the godowns are glutted. Let the stuff decay; then the situation may be saved. Japanese are too sensitive on the subject of commercial morality. Foreigners say they must sell out at enormous losses, and that Japanese contractors go scot free. That is not so, for the foreigners have the goods, the Japanese must finally take them out, then paying interest on their value, storage and insurance. Foreign loss is mainly in the payment of interest on their drafts, or the loss of interest on their credit balances. That is a misfortune, but foreign banks are easy, and Japanese banks are hard. There has been reckless trading, and we have overworked our capital. Even if all our claims for shortage, damage, difference of pattern or of texture should be disallowed, the financial situation should be considered. The foreign banks know their customers and will be patient with them, and the Japanese banks must exhibit a proper regard for their own interests by a conservative attitude." Here was a plea for the repudiation of contracts, as the lesser of two evils, a counsel which the speaker now doubtless feels was fully warranted by the course of events, for fears soon became pacified, and within a few months native merchants took out the godown stocks at little reported loss to foreigners except that of delay. In the other event there might have been deliveries and many settlements at such percentage of

ANTHRACITE COAL STRIKE ARBITRATION COMMISSION

[From a Picture Taken at First Session of the Body]



JUDGE HORACE GRAY.

GEN. J. H. WILSON.

E. E. CLARK.

BISHOP J. L. SPALDING.

C. D. WRIGHT.

E. H. PARKER.

T. H. WATKINS.

Invoice prices as could have been obtained at forced sales, when no one wished to buy. BANK BENDS TO LAW.
A case that has been used by foreigners as a text for discourse on native tendencies arose from a loan of 300,000 yen by the Russo-Chinese Bank to the Tokokuwa Railway Company. One of the native banks at Kyoto guaranteed payment, or at any rate the manager of the native bank signed a guarantee on behalf of the bank, which the lender accepted as full security. When demand was made on the bank for the money, the railway company having failed to meet the note at maturity, the bank refused to stand by the indorsement on the ground that the manager had no right to use the seal of the bank for an indorsement without express authority from the directors, such authority not having been conferred in this instance. The bank held that its manager had never enjoyed more than limited powers, and based its defense on the proposition that without the permission of the principal a procurator cannot rightfully undertake commercial transactions on his own account, or on that of a third person, and if a procurator does so without the principal's authority, he is liable without express authority from the directors, such authority not having been conferred in this instance. The bank held that its manager had never enjoyed more than limited powers, and based its defense on the proposition that without the permission of the principal a procurator cannot rightfully undertake commercial transactions on his own account, or on that of a third person, and if a procurator does so without the principal's authority, he is liable without express authority from the directors, such authority not having been conferred in this instance. The bank held that its manager had never enjoyed more than limited powers, and based its defense on the proposition that without the permission of the principal a procurator cannot rightfully undertake commercial transactions on his own account, or on that of a third person, and if a procurator does so without the principal's authority, he is liable without express authority from the directors, such authority not having been conferred in this instance.

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of settlement, which have hung fire in the courts for from one year to eighteen months.

FOREIGNERS FAVORED IN COURT.
The document certainly proves that there are deplorable delays of the law in Japan. It declares that the difficulty in obtaining the legal enforcement of good faith is one of the principal causes of the high interest rates for money, and conveys the further doubtful impression that a state of affairs has been brought about peculiar to this land whereby many traders have come to the conclusion that it is less troublesome and costly to forego a claim than to bring it before the courts. "So far as our observation goes," the compiler says, "this is not a matter in which foreigners specially or particularly labor under disadvantage; in fact, we are convinced that the law is made to move more quickly when the foreigner is concerned, but the interests of each are the interests of all, and the fact that our Japanese friends suffer more than we do is only a greater reason why this subject should be brought to the bar of public opinion."

In this presentation, and in comments by native and other newspapers, presumably reflecting intelligent opinion, there has appeared no suggestion that the issues in the courts do not finally come out right, although the compensation for judicial service in Japan is so small as to graduate occupants of the bench into the bar with annoying rapidity, and it might well tempt the weak to sell their decisions. In a list of commercial cases compiled by one newspaper, to show the time taken for the settlement of suits relating to bills in the first half of this year, it appears that out of 48 suits 18 were settled within a month and 21 within two months. Fourteen had been pending for one year, sixteen for two years and three for more than two years.

In other years payment on account accompanied an order, no contract being signed without it. The Germans made their first effective inroads on foreign trade by abolishing the bargain money condition. They were thereby in the way of absorbing so much of the business that other foreign houses yielded that finally came out right, although the compensation for judicial service in Japan is so small as to graduate occupants of the bench into the bar with annoying rapidity, and it might well tempt the weak to sell their decisions. In a list of commercial cases compiled by one newspaper, to show the time taken for the settlement of suits relating to bills in the first half of this year, it appears that out of 48 suits 18 were settled within a month and 21 within two months. Fourteen had been pending for one year, sixteen for two years and three for more than two years.

In addition to the original foreign criticism of the bank for its refusal to pay the note on demand, much adverse comment was provoked over the devices which the bank employed to drag the suit through the courts. Several months elapsed between the beginning of the suit and the judgment, due mainly to requests for time by counsel for the native bank, which the court granted. This case seems to have been a contributing cause to the publication of a pamphlet entitled "The Delays in the Law Courts," printed in Yokohama, and given wide circulation through the foreign Chamber of Commerce of that place, wherein are cited six commercial cases, seemingly easy

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THE NOBLE PUMPKIN.

In hazy autumn the commonplace, old, everyday pumpkin has a picturesque value which should not be overlooked. This golden fruit—in all color tones, from rich deep orange and green to vivid sunny yellow—is a distinct beauty factor in all rural harvest scenes; it looks well mingled with the brown corn wigs in the fields, heaped at the roadsides to be hauled away, or in the foreground of great barns where corn-shucking is going on. Loads of pumpkins creaking leisurely into town, too, give the wayfarer as pleasant a thrill as the wagons heaped with red apples. What the pumpkin is now we well know; modern poets sing the praises of the golden pumpkin in voices harmoniously muffled with good pumpkin pie; but what the pumpkin has been—and what it was to the pioneer—is a matter to be looked into.

Apparently it is a far cry from the humdrum, almost comical-looking pumpkin to the ornament on a pretty woman's headgear, but pumpkin was once "pumpion," or pompon, from the old French "pompon." Although it is said to be a native of the Levant, it was found in America, growing amid Indian corn, no doubt, when the white man came here. Curiously enough, although the pumpkin, as a utility food, stood next to corn in the pioneer stage of this country, it received no public attention in our early agricultural records. In the general index of national agricultural reports between 1847 and 1886, but one reference to this useful product is found. In the memories of men and women who have lived their lives in the score and ten years, however, the chronicle of the noble pumpkin has been cherished.

In pioneer times peaches and pears were unheard of; apple-trees had to be grown, and the principal fruit of that period was the faithful pumpkin. The time when pumpkins ripened was a time of general rejoicing. The crop of pumpkins was always to be relied on; every country loft contained a wagonload of pumpkins, and every village householder bought them by the dozen. They did not freeze in log houses. Pumpkin, as elderly women can testify and as the old cookbooks show, was as popular a gastronomic dependence then as the splendid apple is now. Stewed pumpkin was an everyday dish, fried pumpkin also; pumpkin butter, pumpkin jam and pumpkin preserves were always made. Pumpkin bread was a notable pioneer delicacy, and a New England cookbook gives a recipe for Boston brown bread into which a cupful of cold stewed pumpkin was to be stirred. Pumpkin pies were, perhaps, more toothsome than now, and pumpkin pudding was also much relished. Dried pumpkin was universal. One elderly Indiana man recalls that he could hardly find his way to bed in the fall, so thickly hung the strings of drying pumpkin in the loft of his father's house. It was cut in strips and threaded, then hung behind stoves, near the fireplaces or from the roof beams all over the house. Children had rare sport when pumpkins were plenty. Jack-o'-lanterns were made and put in queer places to scare other children, candles being cheap and plenty, too. Sometimes a row of jack-o'-lanterns would suddenly gleam out along the top of the log house or on a shed.

To whitewash pumpkins on the vines in the field was also considered the essence of exquisite humor. Whitewashed pumpkins hid in a haycock were called "a mare's nest." Pumpkins were a staple food for

cows and hogs in those early times, as now. Little girls, when pumpkin cooking was going on in the kitchens, cut dolls, also cats, dogs and chickens out of discarded pumpkin-rinds; these were baked in a pie-pan, played with, and then eaten with gusto. Farmers in those days were always liberal with pumpkin; they would give away a pumpkin then as freely as an apple now. An island in the Ohio river, not far from New Albany, was once named "Pumpkin Patch," but the name has been lost.

Pumpkins had no names in pioneer times, but now the horticulturist does them more honor. Single pumpkins have been grown to weigh over 200 pounds, and among the names are Mammoth, Large Cheese, Crook-neck, King of the Mammoths, Hundred Weight, Field Pumpkin and Sweet Potato.

WHITE-THROATED SPARROW.

Now is the time to look for this distinguished visitor, although he is due on the heels of Jack Frost. Indeed, one bit of song was reported from the vicinity of Mooresville early in September, while four haunting notes were heard on a Georgetown lane some two weeks since. These lovely birds seem scarce and unusually shy this year, and it is to be feared that as their enemies increase, their ranks are becoming sadly depleted. Near the farmhouse door a tiny, feathered head with slender, pointed tongue lying still in the open, glossy beak, and a vivid yellow spot before either closed eye, was lately found. This was a white-throat, and since it is stated that in the markets of New Orleans hundreds of them hang mute and lifeless among other rare songsters, perhaps it is too much to expect that even a country-bred cat should duly value his life.

White-throat is not often to be found in the trees, but in some damp, leafy hollow, or in the depths of the hedge, where cat-brier and wild grape twine about in luxurious profusion and the sumach rears its velvety cone of brilliant red-maroon. We need only approach this mimic wilderness to create a sudden flurry of wing beats, as the quiet is broken by the soft hissing call of the white-throat. They do not fly quite away, however, but merely come out at the top and perch there with inquiring looks. They are plump, handsome, contented-looking feather bodies. Quite at our ease we may observe the broad white stripes between the black ones on the crown of the lowest one, the black lines on the back of his pretty brown coat, and his white-bordered wings. We can only fancy we see the bright yellow spot before either bright eye, perhaps, but the short, snowy-white bill beneath his chin is quite conspicuous enough to distinguish him from any other sparrow.

The white-throat is good to look at, especially through an opera glass, yet there is nothing in his appearance which could lead us to anticipate the song which he is gracious enough to sing in response to our intrusion upon his breakfast. It is a tender and spiritual beyond description; not long, but high, minor, plaintive, and uttered with a childlike, tremulous purity that is bewitching. A sweeter chant, I am sure, trustful pilgrim, never hymned. The white-throat often loiters several weeks with us en route from the far north. Perhaps Michigan, perhaps on the shore of Hudson bay, he has left a moss-covered nest in which were cradled the unsophisticated youngsters now with him. Their bills are ashen rather than white as yet, and this is their first journey south to spend the winter in the Gulf States. It is not impossible that some of them may winter with us, crouching low beneath the undergrowth in the woodland and feeding on seeds. They have been noted here in February, when it would seem too early for them to be returning from the South. At any rate, may their long journey prove a safe one, and may some good angel guide them afar from the markets of Louisiana so that they may return promptly in the springtime to receive the glad welcome we have in store. ELIZABETH NUNEMACHER, New Albany, Ind.

Society Event.

Baltimore American.
The reports of the Molluex trial printed in the New York papers are embellished with graceful descriptions of the costumes worn by the female witnesses and by the ladies in the audience. Murder trials are almost as much of an event in New York as a fancy ball or a theatrical first night.

Very Thin.

Philadelphia Record.
The average magazine serial contains about as much meat as a prepared breakfast food.

WILL VISIT AMERICA



GENERAL ROBERTS.

While Generals Young, Corbin and Wood were in London they secured the promise of Gen. Lord Roberts, commander-in-chief of the British army, to visit the United States. General Kelly-Kenny may accompany him.

MOSELY'S GREAT WORK

ENGLISH COMMISSIONERS TO STUDY
METHODS IN THE UNITED STATES.Representative Trade Unionists Who
Will Reach New York This Week
and Begin a Tour of Inquiry.

COMMISSION IS NONPOLITICAL

INVESTIGATION WILL BE COMPRE-
HENSIVE AND UNRESTRICTED.Mr. Mosely Hopes to Convince Eng-
land that the United States is a
Great Industrial Competitor.

Correspondence of the Indianapolis Journal.

LONDON, Oct. 25.—Alfred Mosely will arrive in the United States from England during the first week in November. He will bring with him about twenty-five representative English trades unionists, who will travel on the American continent for a month making observations upon American methods. On the return of these men to England they will each make a report, which will be distributed gratis throughout the United Kingdom for the benefit of the members of the various trades represented on the commission.

One year from now, unless Mr. Mosely's plans miscarry, another English commission of twenty-five members will land in the United States. This second Mosely commission, however, will comprise the best-known educational experts of the United Kingdom. They will study the American public school system and make a report as to whether that system as a whole or in part is suitable for British use. Mr. Mosely believes that the free education of the masses of the people lies at the bottom of American success, and he wants England to adopt all the good things of the world by a process of unprejudiced selection.

The remarkable feature of these commissions is that they are the work of one man. Mr. Mosely originated the idea of their organization, their journey to the United States, the subsequent reports and their general distribution, and out of his own pocket has and will come every dollar of expense incurred except that which may be undertaken by Americans who will act as entertainers at various times and places. The tour of the English labor commissioners will practically begin with the banquet to which they are invited on Nov. 11, and which will signalize the opening of the new Chamber of Commerce building in New York.

The expense of these two commissions will be fully \$50,000, all of which will be borne by Mr. Mosely. If he was a great manufacturer or great employer some motive of personal gain might attach to his experiment, though even in such a case the enterprise would be commendable. He is not, however, for his business interests are all in South Africa, and he has practically retired from their active management.

MR. MOSELY'S HOBBY.

He is merely a wealthy man who has taken up the question of the improvement of England's industrial condition as a hobby. He has other hobbies, too, such as the collection of priceless carved ivory picture busts, and, as he expresses it, he has conceived a hunger for English land, the present stage of which is expressed in his possession of 300 acres at Hadley Wood, Middlesex, but a few miles from London. Here he lives at "West Lodge," which was a hunting box for King James I, but which is a beautiful and spacious home for a modern man of business. Here Mr. Mosely houses his family and his art treasures and enjoys the products of his orchid and fruit conservatories.

Two of his boys he will shortly send to Yale College, where he expects them to absorb the spirit of American success. His best ivory will go in time to the British Museum, for he has a piece or two from the tombs of the Egyptian queens, the duplicates of which are not to be found. But at present all these matters are of minor account. He has been working day and night for months past at his task of getting his American commissions in order so as to produce the best results. He cannot say himself what he expects these results to be, but he has such a firm faith in the American spirit of enterprise and energy and such an ardent belief in the necessity of their adoption by England that he feels sure that the visit of these representative English laboring men to the United States cannot but prove beneficial to those who make the journey and through them to their fellow-workers.

Alfred Mosely is a comparatively young man, being but forty-seven. He went to South Africa when he was but nineteen, and without capital other than his own energy and shrewdness acquired a considerable fortune in the gold and diamond country. The intimate friend of Cecil Rhodes, he believes the latter to have been one of the greatest men the world has ever produced. He says that Rhodes never entertained the slightest idea of an independent South Africa, but always a greater South Africa under the British flag. In common with other associates of Rhodes Mosely professes to be unable to explain the real motive of the Jamestown raid. He says that the leaders of that expedition did not understand it and that they simply obeyed the will of the master mind.

Mr. Mosely believes the South African war to have been inevitable; that the question of English or Dutch supremacy was always present, though slumbering. The Jamestown raid precipitated the war, he says, for it gave the Dutch the excuse for arming. The war would have come sooner or later, in his opinion, and it was better that it came then. Naturally, he took a keen interest in the war, and as soon as it was required loaded a complete hospital equipment for 300 beds upon a ship, sent with it a staff of 125 doctors, nurses, etc., and ran it near Durban for six months at his own expense, and then presented it to the English government. This was the Princess Christian Hospital, which played an important part in saving the lives of hundreds of British soldiers.

TRIBUTE TO AMERICANS.
As he has often stated, the fact that it was American mining engineers who made the South African mines profitable first led to his keen interest in the United States and its people. He pays high tribute to the American engineers, Williams, Hammond, Perkins, Jennings and others identified with South African mining development, including the late Louis Berghman, who was killed while repairing bridges for the British forces. Mr. Mosely's first visit